

CENTRAL INFORMATION COMMISSION
Club Building (Near Post Office)
Old JNU Campus, New Delhi - 110067
Tel: +91-11-26161796

Decision No. CIC/SG/C/2011/001489/16970
Complaint No. CIC/SG/C/2011/001489

Complainant : Mr. Deendayal Soni
Haluwas Gate Circular Road
Bhiwani, Haryana

Respondent : General Manager
Karnatka Bank Ltd.
301-303, Ground Floor,
Main Road, Chandni Chowk ,
Delhi- 110006

Facts arising from the Complaint:

Mr. Deendayal Soni had filed a Complaint under Section 18 of the RTI Act with the Commission against the Respondent stating that he had filed a RTI Application dated **02/06/2011** asking for certain information for which no reply was received from the Respondent. On this basis, the Commission registered the Complaint.

The Commission has already decided in another matter no. CIC/SG/C/2011/001197/16452 dated 19/12/2011 that the Respondent Bank appears to be not a public authority as defined under Section 2(h) of the RTI Act. It was observed that:

“Based on the submissions received from both parties it appears that the Respondent Bank is not a public authority as defined under Section 2(h) of the RTI Act. Section 2(h) of the RTI act provides-

Section2 (h): *"public authority" means any authority or body or institution of self-government established or constituted—*

- 1 (a) by or under the Constitution;*
- 2 (b) by any other law made by Parliament;*
- 3 (c) by any other law made by State Legislature;*
- 4 (d) by notification issued or order made by the appropriate Government,*

and includes any—

- 1 (i) body owned, controlled or substantially financed;*
- 2 (ii) non-Government organisation substantially financed,*

directly or indirectly by funds provided by the appropriate Government;

The Respondent Bank clearly does not fall under clause (a) to (d). Furthermore, it has not been shown to have been substantially financed or controlled or owned by the government. Hence, the Complainant has no legally enforceable right under the RTI Act as the respondent is not a public authority under the RTI Act and is therefore under no obligation to reply to the Complainant's RTI Application".

Decision:

The Complaint is dismissed.

The Respondent is not a public authority as defined under Section 2 (h) of the RTI Act.

Shailesh Gandhi
Information Commissioner
19 January 2012

(In any correspondence on this decision, mention the complete decision number.)(SP)